

REMARKS

Reconsideration of the application is respectfully requested in view of the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Claims 1-9, 11, 13-15, and 18-27 are pending. Claims 10, 12, 16, 17 are cancelled. Claims 5, 6, and 7 are original. Claim 28 is new. Claims 1-4, 8, 9, 11, 18 and 19 are currently amended. Claims 14, 20, 21, 24, 25, 26 and 27 were previously amended.

Claim Rejections under 35 U.S.C. § 103

Applicant notes at the outset that to establish a *prima facie* case of obviousness, there must first be some suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally the prior art references must teach or suggest all the claim limitations. M.P.E.P. 2143.

The Office Action rejected claims 1, 4-9, 12-15, 18, 21-25 and 27 under 35 U.S.C. § 103(a) as being unpatentable over *Wager* (US 6,169,911) in view of *Pennock* (US 6,807,562).

Applicant respectfully requests to preserve the right to swear behind *Pennock*

Wagner discloses a portable telephone with a graphical user interface (GUI), the GUI providing a Universal Mailbox for storing both electronic mail and voicemail messages, either of which can be accessed by a user from the same display screen. *Pennock* is directed at automatic and selective assignment of channels to recipients of voice chat data.

As per claim 1, neither *Wagner* nor *Pennock* disclose the following step of claim 1 as amended:

broadcasting a second wireless identification signal identifying the second electronic device or its user, the second wireless identification signal directly perceivable by the senses of the user of the first electronic device, the second wireless identification signal sent contemporaneously with the first wireless identification signal;

Thus, *Wagner*, *Pennock* and a combination thereof fail to disclose or suggest each and every element of claim 1. The Applicant asserts claim 1 as amended is allowable.

As per claims 2-7, 24 they are dependent on claim 1, since claim 1 as amended is allowable, claims 2-7, 24 are thus in condition for allowance.

As per claim 8, neither *Wagner* nor *Pennock* disclose the following step of claim 8 as amended:

sending an audio or visual cue from the selected electronic device in response to the first wireless activation signal, the audio or a visual cue directly perceivable by the senses of the user of the first electronic device;

Thus, *Wagner*, *Pennock* and a combination thereof fail to disclose or suggest each and every element of claim 8. The Applicant asserts claim 8 as amended is allowable.

As per claims 9,11,13-15, 25-28 they are dependent on claim 8, since claim 8 as amended is allowable, claims 9,11,13-15, 25-28 are thus in condition for allowance.

As per claim 18, neither *Wagner* nor *Pennock* disclose the following step of claim 1 as amended:

broadcasting a second wireless identification signal identifying the second electronic device or its user, the second wireless identification signal directly perceivable by the senses of the user of the first electronic device, the second wireless identification signal sent contemporaneously with the first wireless identification signal

Thus, *Wagner*, *Pennock* and a combination thereof fail to disclose or suggest each and every element of claim 18. The Applicant asserts claim 18 as amended is allowable.

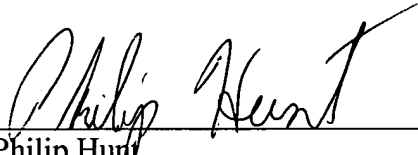
As per claims 19-23, they are dependent on claim 18. Since claim 18 as amended is allowable, claims 19-23 are thus in condition for allowance.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, claims 1-9, 11, 13-15 and 18-28 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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